



An  
Coimisiún  
Pleanála

## Inspector's Report ACP-322857-25

### Question

Whether a change of use of rooms in a residential convent to a centre for refugees and international protection applicants is development or is exempted development.

### Location

The Convent of Mercy,  
Templeshannon, Enniscorthy, Co.  
Wexford.

### Declaration

Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	EXD01188
Applicant for Declaration	Flodale Group Limited
Planning Authority Decision	Is not exempted development

### Referral

Referred by	Flodale Group Limited
Owner/ Occupier	None
Observer(s)	Kevin Tyrrell

**Date of Site Inspection**

15<sup>th</sup> January 2026.

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## 1.0 Site Location and Description

- 1.1. The referral property is the former Convent of Mercy at The Shannon, Enniscorthy, Co. Wexford, and is a protected structure which is located within an Architectural Conservation Area (refer to para. 5.0 below).
- 1.2. The former convent adjoins St. Senan's Church, also a protected structure, which is located to the immediate north of the convent building.
- 1.3. The rear elevation of the convent building faces onto the street (The Shannon) and is two-storeys in height. The rear facing elevation is accessed from the street by two pedestrian doors. There is also a courtyard, enclosed by a high-level wall, adjoining the street.
- 1.4. The main frontage of the convent building is west facing and faces onto the convent grounds, which include burial grounds, gardens and outbuildings.
- 1.5. The main elevation of the convent building is two and half storeys in height and overlooks the town centre.
- 1.6. The former convent building is described as follows in the National Inventory of Architectural Heritage.

*Attached seven-bay two-storey convent with dormer attic, opened 1858, on an E-shaped plan centred on single-bay full-height gabled projecting breakfront with two-bay two-storey gabled advanced end bays. Renovated pitched slate roof on an E-shaped plan including flat roofs to window openings to dormer attic centred on pitched (gabled) slate roof (breakfront), clay ridge tiles, cut-granite coping to gables including cut-granite coping to gable (breakfront) with cut-granite gabled bellcote to apex framing cast-bronze bell, and replacement uPVC rainwater goods on exposed timber rafters retaining cast-iron downpipes. Rendered, ruled and lined walls on rendered chamfered plinth with rusticated cut-granite quoins to corners. Paired lancet window openings (breakfront) with cut-granite sills, and concealed dressings framing fixed-pane fittings. Shallow triangular-headed opposing door openings to "cheeks" with concealed dressings framing replacement glazed aluminium doors. Shallow triangular-headed window openings with cut-granite sills, and concealed dressings framing replacement uPVC casement windows replacing two-over-*

*two timber sash windows. Set in landscaped grounds with rear (east) elevation fronting on to road.*

## **2.0 The Question**

*Whether a change of use of the existing rooms within a building which comprises the Convent of Mercy, Templeshannon, Enniscorthy, Co. Wexford from a residential convent to a centre for the accommodation of Ukrainian refugees and international protection applicants is development or is exempted development.*

## **3.0 Planning Authority Declaration**

- 3.1.1. On the 19<sup>th</sup> of May 2025 a request for a Declaration in accordance with Section 5(1) of the Planning and Development Act, 2000, as amended, was received by Wexford County Council from Flodale Group Limited.
- 3.1.2. The Planning Authority issued a declaration on the 13<sup>th</sup> of June 2025, to the effect that the change of use from residential convent to a centre for the accommodation for Ukrainian refugees and international protection applicants is not exempt.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

- 3.2.2. The Planner's Report, dated 12<sup>th</sup> of June 2025, can be summarised as follows:
- This is a repeat Section 5 application of EXD01133, which determined that the change of use is development and not exempted development.
  - Applicant is claiming exemption having regard to The European Union (Planning and Development) (Displaced Persons from Ukraine Temporary Protection) Regulations, 2022.
  - The legislation has been amended ensuring that all refugees are treated equally.

- The convent is a protected structure, and it is considered a full planning application is required to assess the potential impacts on the protected structure.
- An Architectural Impact Assessment would be required as part of the planning application.
- A full evaluation of the impact on this protected structure cannot be undertaken by way of Section 5 of the Act and Schedule 2 of the Regulations.
- The proposed development is not exempted development.

### 3.2.3. Other Technical Reports

- None

## 4.0 Planning History

### 4.1.1. The following planning history relates to the referral site.

- L.A. Ref. EXD01193 – The Council determined on the 2<sup>nd</sup> of July 2025 that a Section 5 application that asked the question ‘*whether a change of use of rooms in a residential convent to a centre for the accommodation of international protection applicants*’ is **not exempt**.
- L.A. Ref. 20171688 – Planning permission **refused**, on the 30<sup>th</sup> of May 2018, for vehicular and pedestrian entrance from existing convent grounds on to Spring Valley Road. The reason for refusal was ‘*that the proposed development may endanger public safety by reason of traffic hazard given the inadequacy of the information submitted in the response to the request for further information which fails to adequately demonstrate that safety for vehicular and pedestrian access has been adequately considered*’.
- L.A. Ref. 20161104 – Planning permission **refused**, on the 13<sup>th</sup> of April 2017, for the change of use of existing convent to office space and permission for 30 no. car park spaces and permission for pedestrian entrance and associated site works. The reason for refusal was ‘*the proposed development may endanger public safety by reason of traffic hazard given the inadequacy of the information submitted for the proposed entrance and access-way which fails*

*to fully demonstrate the level of ground works required given the steep sloping nature of the site and therefore may not be fit for purpose as proposed, and fails to adequately demonstrate that safety for pedestrian access off the Templeshannon Road and off the Spring Valley Road has been adequately considered'.*

## **5.0 Policy Context**

### **5.1. Wexford County Development Plan, 2022 – 2028.**

- 5.1.1. Enniscorthy is a designated 'Level 2 Large Town' in accordance with Table 3-2 'County Wexford Settlement Hierarchy' of the CDP.
- 5.1.2. The CDP does not include land-use zoning objectives, as such the referral site is not zoned.
- 5.1.3. Volume 5 of the Plan 'Record of Protected Structures' identifies the referral building as a 'Protected Structure'. The CDP reference for the protected structure is E160 and is named as 'Convent of Mercy (adjacent to St. Senan's Church)'.
- 5.1.4. Volume 6 of the Plan includes maps delineating Architectural Conservation Areas in the County. The referral site is illustrated on Map 6.3b and located within the Architectural Conservation Area 4&5 (Enniscorthy).

### **5.2. National Inventory of Architectural Heritage**

- 5.2.1. Item 15603182, Convent of Mercy, The Shannon, Templeshannon, Enniscorthy, Wexford, is of regional importance for architectural, artistic, historical and social interest. The convent dates from 1855 – 1860.
- 5.2.2. The Appraisal states – *'A convent representing an important component of the mid nineteenth-century built heritage of Enniscorthy with the architectural value of the composition confirmed by such attributes as the symmetrical footprint centred on a bellcote-topped breakfront; the "pointed" profile of the openings underpinning a streamlined Gothic theme; and the high pitched gabled roofline. Having been well maintained, the elementary form and massing survive intact together with substantial quantities of the original fabric, both to the exterior and to the interior where*

*contemporary joinery; restrained chimneypieces; and decorative plasterwork enrichments, all highlight the artistic potential of the composition: however, the introduction of replacement fittings to the openings has not had a beneficial impact on the character or integrity of a convent forming part of a self-contained group alongside an adjacent "Mission House" complex (see 15603183) with the resulting ensemble making a pleasing visual statement overlooking the River Slaney'.*

### **5.3. Architectural Heritage Protection – Guidelines for Planning Authorities (2011)**

- 5.3.1. These guidelines, first published in 2004, are a guide to all those interested in protecting the built heritage and include guidance on criteria to be used when selecting structures for protection, and guidance in relation to the assessment of development proposals and declaration requests.
- 5.3.2. Depending on the individual circumstances and the special interests of the structure, the following works might require planning permission:
- 5.3.3. Changes to the internal layout (including those required for fire safety purposes or to improve access; alterations that would affect the original or early surviving plan form or section; the insertion of fixed partitions; the breaking out of new openings between rooms or spaces; the insertion of new doors or screens; the alteration of floor levels; the insertion of suspended ceilings; alterations to the layout or form of stairwells).
- 5.3.4. Changes to the internal surfaces, finishes or linings. Installation or repair of internal mechanical services.

### **5.4. Natural Heritage Designations**

- Slaney River Valley SAC (site code 000781) – 120m southwest
- Wexford Harbour and Slobs SPA (site code 004076) – 1.2 km south
- Slaney River Valley pNHA (site code 000781) – 120m southwest

## 6.0 The Referral

6.1. The following is a summary of the referrer's case.

### Background

- The question submitted to the local authority was whether a change of use of the existing rooms and spaces within a residential convent to a centre for the accommodation of a combination of Ukrainian refugees and international protection applicants is development and is exempted development.
- The activity takes place in the existing rooms which is a convent building and does not require any physical works to the interior or exterior.
- The proposed conversion involves the replacement of beds and older style furniture from nunnery with modern features and no works the building itself.

### Council Decision

- The PA decision determined that this change of use fell outside the exempted development provisions for one reason. The PA declaration does not contain the reason.
- The original documentation to the PA included a Conservation Statement.

### Appeal Grounds

- Introduction
  - A previous referral on the site (PA Ref. EXD01133) concluded that an Architectural Impact Assessment was required, notwithstanding that the application did not involve any works to the protected structure.
  - The current Section 5 application (PA Ref. EXD01188) included an opinion from a Conservation Architect Grade One.
  - The PA consider that an Architectural Impact Assessment cannot be considered as part of a Section 5 reference.

- The present proposal does not involve any works to the structure.
- Occupation by War Refugees
  - The LA has accepted that sleeping quarters in this building (formerly used as nun's bedrooms) and common areas, such as the kitchen / dining facilities, can be occupied by war refugees from Ukraine.
  - The Board are requested to carry this conclusion further by determining that the usage of these rooms and spaces for this category of resident do not need permission as a result of needing any Architectural Impact Assessment.
- Occupation by International Protection Applicants
  - It is not stated in the Planning Officer's report that the new use would not comply with the exempted development provision.
  - Class 20F of the Schedule 2, Part 1 of the Regulations is subject to 6 no. conditions none of which were raised by the PA's determination in reg. EXD01133.
  - The Planning Officer's report does not explain why the benefit of Class 20F is not available.

## 6.2. Planning Authority Response

- None

## 6.3. Further Responses

- 6.3.1. The Commission received a submission from Kevin Tyrrell on behalf of the Residents of Shannin Hill and Templeshannon, Enniscorthy. The submission, which includes signatures of local residents in support of the submission, outlines the relevant planning history and the arguments in support of the Council's Declaration. The submission is summarised as follows:

### Exemption

- The current application must be dealt with as the previous application (EXD01133).

- The reason why the application is not acceptable relates to the protected structure status of the building.
- It is submitted, as per the PA's planning report, that the special conditions for Displaced Persons from Ukraine', is not available. Accordingly, the special conditions claimed by the applicant are not available and the normal planning process would apply.
- Class 20F exemption would not apply as there is no reference to convent.
- A place of 'public worship or religious instruction' is not synonymous with the use of a building as a convent.
- Class 7, Part 4 of Schedule 2 refers to '*public worship or religious instruction*' as a different category to '*as a monastery or convent*'.
- The referral building is a convent for nuns and is not a place of public gathering or a lay congregation for either worship or instruction in the faith.

#### Protected Structure

- The extent of works undertaken at the building are unknown to the public.
- Although it appears that no works were undertaken to the exterior, internal works were undertaken.
- An Architectural Impact Assessment must be carried out before any works take place; however, the document submitted with EXD01188 is not an Architectural Impact Assessment (AIA).
- AIA is required for the PA to assess the impact.
- There are no before and after photographs in the documentation with EXD01188 which would highlight areas of architectural significance.
- The applicant has not demonstrated how any works were undertaken using the philosophy of minimum intervention.
- S. 57 of the Act states that exempted development in relation to protected structures is not applicable for any works which would materially affect the structure.

- A planning application is required for the retention of these works to identify the nature of the works.
- It is contended that the works to the protected structure were carried out in haste and behind closed doors. The applicants undertook substantial works to a protected structure without any AIA or even a S. 57 Declaration.

#### Architectural Conservation Area

- Section 6.01 of the AIA report confirms that works have been undertaken to the convent building.
- The AIA justifies the internal works to the protected structure by applying the works permitted to the exterior of a building in an Architectural Conservation Area (ACA) in accordance with s. 13.4.10 of the Wexford CDP. This is a gross misapplication of standards.

#### PA Decision and Recommendations

- The PA have held twice that the applicant follows the proper planning and development and submit a planning application for the proposed works.

#### Planning and Development Act 2024

- Section 9(4) of the 2024 Act states that development to a protected structure shall not be exempted development where it materially affects or would materially affect the character of structure or the special interest.

#### Planning Enforcement Action

- The Council have issued a Warning Letter to the applicant in respect of unauthorised development. The Enforcement Section of the Council are awaiting the applicant's reply to the Warning Letter.

#### Public Engagement

- The process of avoiding a planning application for the development denies the public of engagement which is essential to proper planning and sustainable development for the location of an IPAS centre in a community.

- The proposed IPAS centre would be located in a deprived location.
- The proposal would be contrary to the 2020 and 2024 Planning and Development Acts in terms of common good and proper planning and sustainable development.
- The common good is not served by the proposed development given that the Templeshannon area is a deprived area.
- The exemptions for IPAS accommodation are reactionary and subverts the nature of proper planning and sustainable development for the common good.
- Public participation and transparency have been denied in the exempted development regulations.
- The planning process is about people and communities as much as the natural and built environment.

#### Impact on the Community

- The planning exemptions compromise public engagement.
- There are no planning conditions or contributions available to the Council in the exemption applications.
- The development will have adverse impacts on local services.
- The development will not serve the needs of the local community and the existing building could be used to the benefit of the local community.
- The local community is deprived as measured in the Pobal HP Deprivation Index and the proposed use will exacerbate the deprivation.

#### Compliance with Building Regulations / Fire Standards

- It is noted that the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) is interested in the property subject to appropriate compliances.
- Works undertaken at the property were not the subject of an AIA.
- It is questioned whether a fire safety certificate assessment has been undertaken.

- Fire safety compliance may require more invasive works to the property.

### Conclusion

- The special provisions for Ukrainian refugees would not apply and as such Class 20F must apply.
- Convent is not a listed class within Class 20F. The exemption applies to 'A Place of Public Worship or Religious Instruction', which is not the use within the subject property.
- An AIA is required to assess the impacts of the proposed works on any Architecturally significant areas in the building.
- The Architectural Assessment that accompanied the application is not an AIA as this must be issued before the works are carried out to allow assessment prior to development.
- The extent of works to the interior and their impacts on architectural significance are unknown.
- The PA have made two separate assessments that the development is not exempted development.
- The Enforcement Section of the Council have issued a Warning Letter in respect of the works.
- The development would be inconsistent with the Planning and Development Act, 2024.
- The articles and classes of exemption are subservient to the common good and proper planning.
- The proposed development will have no benefits to the local community.
- The exemption process avoids public engagement with the community, in a deprived location.
- The applicants have proceeded with this application without progressing with fire safety assessment.

## 7.0 Statutory Provisions

### 7.1. Planning and Development Act, 2000, as amended.

7.1.1. Section 2(1) of the Act states the following:

- ‘development’ has the meaning assigned to it by Section 3;
- ‘works’ includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal ....’

7.1.2. Section 3(1) states that:

- ‘development’ means, except where the context otherwise requires, the carrying out of works on, in, over or under land or the making of any material change in the use of any structures or over land’.

7.1.3. Section 4(1) of the Act sets out various forms and circumstances in which development is exempted development for the purposes of the Act, including Section 4(1)(h) which provides for the carrying out of works for the maintenance, improvement or alteration of any structure that only affect the interior of the structure, or which do not materially affect the external appearance so as to render it inconsistent with the character of neighbouring structures.

7.1.4. Section 4(2) of the Act provides that the Minister may, by regulations, provide for any class of development to be exempted development.

7.1.5. Section 4(4) provides that development shall not be exempted development if an Environmental Impact Assessment (EIA) or an Appropriate Assessment (AA) of the development is required.

7.1.6. Section 57.—(1) Notwithstanding section 4(1)(a), (h), (i), (ia) (j), (k), or (l) and any regulations made under section 4(2), the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of— (a) the structure, or (b) any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

## 7.2. Planning and Development Regulations, 2001, as amended.

7.2.1. Article 6(1) of the Planning and Development Regulations 2001, as amended, provide that 'subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1'.

7.2.2. Schedule 2 of Part 1 to the Regulations set out the classes of exempted development, including '**Class 14**' allowing for 'development consisting of a change of use': -

'(h) from use as a hotel, motel, hostel, guesthouse, holiday accommodation, convent, monastery, Defence Forces barracks or other premises or residential institution providing overnight accommodation, or part thereof, or from the change of use specified in paragraph (i) of the said premises or institution, or part thereof, to use as accommodation for protected persons,

(i) from use as a hotel, motel, hostel, guesthouse, holiday accommodation, convent, monastery, Defence Forces barracks or other premises or residential institution providing overnight accommodation, or part thereof, or from the change of use specified in paragraph (h) of the said premises or institution, or part thereof, to use as an emergency reception and orientation centre for protected persons'.

7.2.3. Statutory Instrument 376 of 2023 titled Planning and Development (Exempted Development) (No. 4) Regulations 2023 is an amendment to the 2001 Regulations which inserted a new **Class 20F** to Part 1 of Schedule 2 of the 2001 Regulations. Class 20F is set out as follows:

Class 20F	Conditions and Limitations
Temporary use by or on behalf of the Minister for Children, Equality, Disability, Integration and Youth to accommodate or	1. The temporary use shall only be for the purposes of accommodating displaced persons or for the purposes of accommodating persons seeking international protection.

<p>support displaced persons or persons seeking international protection of any structure or part of a structure used as a school, college, university, training centre, social centre, community centre, non-residential club, art gallery, museum, library, reading room, sports club or stadium, gymnasium, hotel, convention centre, conference centre, shop, office, Defence Forces barracks, light industrial building, airport operational building, wholesale warehouse or repository, local authority administrative office, play centre, medical and other health and social care accommodation, event and exhibition space or any structure or part of structure normally used for public worship or religious instruction</p>	<p>2. Subject to paragraph 4 of this class, the use for the purposes of accommodating displaced persons shall be discontinued when the temporary protection introduced by the Council Implementing Decision (EU) 2022/382 of 4 March 2022<sup>1</sup> comes to an end in accordance with Article 6 of the Council Directive 2001/55/EC of 20 July 2001.</p> <p>3. The use for the purposes of accommodating persons seeking international protection shall be discontinued not later than 31 December 2028.</p> <p>4. Where the obligation to provide temporary protection is discontinued in accordance with paragraph 2 of this class, on a date that is earlier than 31 December 2028, the temporary use of any structure which has been used for the accommodation of displaced persons shall continue for the purposes of accommodating persons seeking international protection in accordance with paragraph 3 of this class.</p> <p>5. The relevant local authority must be notified of locations where change of use is taking place prior the commencement of development.</p> <p>6. ‘displaced persons’, for the purpose of this class, means persons to whom temporary protection applies in accordance with Article 2 of Council Implementing Decision (EU) 2022/382 of 4 March 2022.</p> <p>7. ‘international protection’, for the purpose of this class, has the meaning given to it in section 2 (1) of the International Protection Act 2015 (No. 66 of 2015).</p> <p>8. ‘temporary protection’, for the purpose of this class, has the meaning given to it in Article 2 of Council Directive 2001/55/EC of 20 July 2001.</p>
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7.2.4. Article 5 of the Regulations sets out certain definitions, the following of which are relevant to the referral question:-

7.2.5. For the purposes of Schedule 2, the Regulations provide the following definition of a 'protected person' –

(a) a person who has made an application to the Minister for Justice and Equality under the Refugee Act of 1996 or the Subsidiary Protection Regulations 2013 (S.I. No. 426 of 2013),

(b) a person who falls to be considered or has been considered under section 3 of the Immigration Act of 1999, or

(c) a programme refugee within the meaning of section 24 of the Refugee Act of 1996.

7.2.6. As provided for in Article 9(1)(a), the development to which article 6 relates, shall not be exempted development, under certain circumstances and the restrictions and limitations are outlined in this Article.

### **7.3. The European Union (Planning and Development) (Displaced Persons from Ukraine Temporary Protection) Regulations 2022 (S.I. No. 306/2022)**

7.3.1. Section 3(1) provides that the Act of 2000 (other than sections 181A to 181C) shall not apply to the classes of development specified in the Schedule carried out by, or on behalf of, a State authority during the relevant period for the purposes of providing temporary protection to displaced persons.

7.3.2. Section 3(2) provides a reference to “proposed development” in sections 181A to 181C of the Act of 2000 shall include a reference to development of a class specified in the Schedule to which section 181A(1) of the Act of 2000 would apply if it was development of a class specified in regulations made under section 181(1)(a) of the Act of 2000.

7.3.3. Schedule – Classes of Development - Article 3

1. Reception and integration facilities.

2. Residential accommodation, including ancillary recreational and sporting facilities.
3. Medical and other health and social care accommodation.
4. Education and childcare facilities, including ancillary recreational and sporting facilities.
5. Emergency management coordination facilities.
6. Structures or facilities ancillary to development referred to in paragraphs 1 to 5, including administration and storage facilities.
7. Infrastructure and other works ancillary to development referred to in paragraphs 1 to 6.

## 8.0 Relevant Referrals

- 8.1.1. ABP-321373-24: The Board determined on the 14<sup>th</sup> of April 2025 that the use of a guesthouse at Dun a Ri House Hotel, Kingscourt, County Cavan, to provide accommodation for persons seeking international protection, is development and is exempted development. The Board determined that the change of use from guesthouse to provide accommodation for persons seeking international protection constitutes a material change of use and therefore development, having regard to Class 6 of Part Four of Schedule 2 of the Planning and Development Act, 2001 (as amended) which does not include the provision of accommodation for international protection applicants as a use in that Class. Further the Board noted that the change of use from guesthouse to the provision of accommodation for International Protection Applicants has been specifically provided for as a class of exempted development in the legislation.
- 8.1.2. ABP-318709-23: The Board determined on the 17<sup>th</sup> of February 2025 that the use of the buildings/properties/structures located at the Former Great Southern Hotel, for the purposes of accommodating persons seeking international protection is development and is not exempted development.
- 8.1.3. In this case works on a permitted use on site, i.e. nursing home, had commenced but was not completed in its entirety as permitted. The Board determined that the completion of such works to the building/properties/structures on site for any use

other than a nursing home would, therefore, (i) contravene a condition attached to a permission under the Planning and Development Act, 2000, as amended, and (ii) be inconsistent with a use specified in a permission under that Act, and be de-exempted under Article 9(1)(a)(i) of the Planning and Development Regulations, 2001, as amended, and pending the completion of these works, there are no other exemptions available.

- 8.1.4. ABP-320219-24: The Board determined on the 20<sup>th</sup> of November 2024 that the proposed change of use of former medical centre to temporary hostel use, to accommodate displaced persons or persons seeking international protection is development and is exempted development and Class 20F of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended) is the relevant exemption. The Board also determined that works consisting of the replacement of a window with two new windows, blocking up of a door, removal of a window and its replacement with a new door is development and is exempted development.
- 8.1.5. ABP-320031-24: The Board determined on the 19<sup>th</sup> of November 2024 that the change of use of a dwelling house to accommodation, where care is not provided, for protected persons is development and is not exempted development. The Board concluded that a change of use from a dwelling house to provide accommodation, for protected persons is material change of use.
- 8.1.6. ABP-307077-20: The Board determined in December 2020 that the use of the premises at Cannaboe Street, Ballinamore, County Leitrim as apartments, including residential accommodation for protected persons, is not development. The Board determined that the permitted use of the apartments was not abandoned and the current use of the premises as apartments, and not as a facility for the reception and care of protected persons, does not constitute a change of use from the permitted use and, therefore, does not constitute development.
- 8.1.7. RL3598: The Board determined on the 15<sup>th</sup> of May 2018 that the physical works to the interior of No 41 Belvedere Place, Dublin 1, a protected structure, would come within the scope of section 4(1)(h) of the Act, however the development constitutes works that would materially affect the character of this protected structure and of elements of the protected structure which contribute to its special architectural interest (including works affecting the interior and the exterior), and, therefore, the

restriction on exemption provided for under Section 57 of the Planning and Development Act, 2000, as amended, applies in this instance, and the subject works are, therefore, not exempted development.

- 8.1.8. RL2851: The Board determined on the 29<sup>th</sup> of July 2011 that a change of use from a domestic dwelling to residential with support living, at The Millhouse (a protected structure), Whitechurch Road, Rathfarnham, Dublin, is development and is exempted development. However, the Board determined that the modifications/alterations to the protected structure constitute works which are development and are not exempted development, having regard to Section 57(1) of the Planning and Development Act, 2000. The works included the subdivision of original rooms and the insertion of sanitary facilities and associated plumbing which would materially affect the character of elements of the protected structure which contribute to its character and special interest and, therefore, do not come within the scope of Section 4 (1(h) of the said Act.

## 9.0 **Assessment**

### 9.1. **Introduction**

- 9.2. Section 5(1) of the Planning and Development Act, 2000, as amended, is specific in respect of referrals and in this regard the Act advises that any person may request in writing from the relevant planning authority a declaration as to what, in any particular case, is or is not development or is or is not exempted development within the meaning of the Act. The Declaration can in turn be referred to the Commission, pursuant to Section 5 of the Act, for review.

- 9.2.1. The submission on the file from the third-party observer to ACP raises a number of issues relating to public engagement, common good, community facilities and enforcement. In the interest of clarification, these matters are entirely separate to the questions of 'development' and 'exempted development' as outlined in section 5 of the Act of 2000, as amended, and are therefore outside the scope of a Section 5 application to ACP.

### 9.3. Is or is not development

- 9.3.1. The Planning and Development Act, 2000, is the relevant legislation, and Section 2(1) of the Act, 2000, as amended, defines “works” as including any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal.....’.
- 9.3.2. Section 3(1)(a) of the Act defines development as the carrying out of any works in, on, over or under land, or the making of any material change in the use of any land or structures situated on land.
- 9.3.3. It was evident from my site assessment and also having regard to the information on the file that alterations to the interior of the structure have been undertaken to facilitate the proposed change of use. I have noted below in para 9.4.9 that these alterations included floor coverings, electric / wiring fitted to internal walls concealed with external plastic casing, lighting, security cameras, replacement of internal doors with new fire doors, installation of toilet / shower facilities, installation kitchen facilities and installation of utilities for laundry room. The alterations constitute ‘works’ and as such falls under the definition of development under Section 3(1)(a) of the Act.
- 9.3.4. Further to the internal alterations that facilitates the proposed change of use, I would consider that change of use from former convent, without an intervening use, to provide accommodation for persons seeking international protection constitutes a change of use on the basis that Class 7 of Part Four of Schedule 2 of the Planning and Development Regulations, 2001 (as amended) provides a use, defined, as ‘as a *monastery or convent*’. Class 7 does not include a use for the provision of accommodation for international protection applicants, and as such a change from convent to accommodation for international protection applicants, would require planning permission, and is therefore a material change of use. Furthermore, I would note that the change of use from convent to the provision of accommodation for International Protection Applicants has been specifically provided for as a class of exempted development in the legislation, as referred to in para 7.0 (Statutory Provisions) above. I would therefore consider that the proposed change of use is a material change of use and therefore falls under the definition of development under Section 3(1)(a) of the Act, and is therefore development.

#### 9.4. Is or is not exempted development

9.4.1. Development can be exempt from the requirement for planning permission by either Section 4 of the Planning and Development Act, 2000, as amended, (hereafter referred to as the Act) or by Article 6 of the Planning and Development Regulations, 2001, as amended (hereafter referred to as the Regulations). Section 4(1) of the Act has primacy over the exempted development provisions of the Regulations.

#### 9.4.2. Alterations to the Structure

Section 4(1)(h) of the Act provides an exemption for,

*'development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures'*.

9.4.3. It is clear from the information on the file, including the submissions from the parties, that none of the alterations relate to the external appearance of the structure.

However, the parties do confirm that some level of alterations have taken place to the interior of the structure.

9.4.4. Notwithstanding that S. 4(1)(h) of the Act would afford an exemption for works to the interior of the structure, section 57(1) of the Act needs consideration in respect of whether an exemption would apply for internal works and alterations, as the referral building is a protected structure.

9.4.5. S. 57(1) of the Act states that the carrying out of works to a protected structure shall be exempted development only if those works would not materially affect the character of—

(a) the structure, or

(b) any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

- 9.4.6. The question at issue is whether or not the development materially affects the character of the structure, or any element of the structure which contributes to its special interest.
- 9.4.7. I note that the floor plan of the former convent building is laid out over three floors, and it is proposed that existing bedrooms on the ground, first and second floor levels would be used to accommodate International Protection Applicants. The proposed accommodation will also include an office, for an on-site manager, and shared kitchen, laundry and dining rooms. I noted, at the time of my site assessment, that some works and alterations to the internal structure had been undertaken to facilitate the proposed change of use. The bedrooms in question (24 no. in total) have been fitted out with beds for the proposed change of use.
- 9.4.8. The extent of works undertaken to the interior of the property, are raised by both the PA and the third-party observer, in terms of their potential impacts on the character of the protected structure. The Section 5 application to the Council was accompanied by an Architectural Assessment<sup>1</sup> which outlines that internal works were undertaken to the former convent building. Although I acknowledge that the referrer submits that there were no physical construction works to the interior or exterior of the convent building, the Architectural Assessment submits that the internal works relate to maintenance and improvement, and some other works. Section 6.0 of the Architectural Assessment submits that the internal works fall into the category of (1) maintenance and improvement, and (2) other works which do not materially affect the character and significance of the protected structure.
- 9.4.9. The Architectural Assessment does not detail the extent of works carried out, however during my site assessment, I observed that works carried out to the interior to facilitate the proposed change of use included floor coverings, electric / wiring fitted to internal walls concealed with external plastic casing, lighting, security cameras, replacement of internal doors with new fire doors, installation of toilet / shower facilities, installation kitchen facilities and installation of utilities for laundry room. I am therefore satisfied that alteration works to the interior of the protected structure have been undertaken.

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<sup>1</sup> Assessment of Proposed Use of Mercy Convent for Accommodation Purposes (Asylum and International Protection Applicants) on this Protected Structure (Dated May 2025) prepared by Chris Ryan, Grade 1 RIAI Accredited Conservation Architect.

9.4.10. The Architectural Assessment also refers that the existing Grotto situated in the garden to the north, enclosed behind the high wall, that it is proposed to refurbish the enclosed north garden as part of the project.

9.4.11. I note the observers comment that the submitted Architectural Assessment is inadequate. However, the Architectural Guidelines (2011) provides guidance in para. 6.4 in respect of documentation to accompany applications for protected structures, and I would consider that the submitted Architectural Assessment which includes an Architectural Assessment by a Grade 1 Conservation Architect, a photographic inventory, floor plans, historical background, an assessment of significance and appraisal of the protected structure would be an adequate document for the purpose of assessing the impacts on the architectural heritage of the property.

9.4.12. In terms of assessing the impacts of the alterations as outlined in para. 9.4.9 above and whether these alterations materially affects the character of the structure, or the special architectural interest of the structure, I would note that the Architectural Assessment asserts that while the ground floor internally retains most of the original fabric, that the first and second floors are devoid of authentic fabric of architectural importance.

9.4.13. In terms of assessing the magnitude of alterations to a protected structure and whether such alterations materially affects the character of the structure, or the special architectural interest of the structure I would also have regard, as noted in para 5.3 above, to the Architectural Heritage Guidelines (2011). Para. 4.12.4 of the Guidelines (2011) provides guidance in respect of changes to the internal layout to a protected structure and whether such changes would require planning permission. The Guidelines notes the following:

- alterations to the internal layout, including those required for fire safety purposes or to improve access,
- alterations that would affect the original or early surviving plan form or section,
- the insertion of fixed partitions,
- The breaking out of new openings between rooms or spaces,
- the insertion of new doors or screens,
- the alteration of floor levels,

- the insertion of suspended ceilings,
- alterations to the layout or form of stairwells.

9.4.14. I would be satisfied that the alterations to the existing convent building would not include any of the interventions referred to above, and that the alterations to the convent building would not amend the internal layout or involve the insertion of any partitions.

9.4.15. Para. 4.12.4 of the Architectural Guidelines refers to changes to the internal structures, finishes and linings, that would involve the loss of or the removal of or damage to original or old internal joinery items (such as windows and window cases, staircases, doors and doorcases, skirting-boards, dado rails, panelling or decorative plasterwork). I would agree with the referrer's Architectural Assessment, based on my site assessment, that the first and second floor are devoid of original architectural features, particularly the bedrooms, where most of the internal alterations has been carried out. Further, the established original internal layout of rooms in respect of all three floors has not been altered, and this original layout which remain intact contributes positively, in my opinion, to the internal character of the building.

9.4.16. In my considerations I have also had regard to a previous Board decision in respect of RL3598, which I have referred to above in para. 8.1.7. This referral relates to a protected structure in No 41 Belvedere Place, Dublin 1, in which case the Board concluded that works to the interior of the structure are development and not exempted development. I note that the works involved works to walls, floors and joinery throughout the house, pipework throughout the building, and soil vent pipe from below ground to above the central roof valley in the middle of the building and a second from below ground to above the parapet wall at the rear of the building, amongst other works to the interior including pipework and electrical. Although I accept that any comparison between two protected structure is limited as structures will have different elements that contribute to its special interest, nonetheless I would consider that the scale of intervention to the subject convent building is minimal and not to the same extent as the works in referral case RL3598.

9.4.17. I would also acknowledge the conclusion of the referrer's Architectural Assessment that the proposals will not give rise to any significant negative impacts on the

Protected Structure, and the change of use will have minimal consequences, and do not adversely affect the character of the protected structure.

9.4.18. In conclusion I would consider that the works, as referred to 9.3.9 above are incidental to the overall character of the structure, and further given the absence of original features, particularly at first and second floor level, as noted from my site assessment and confirmed by the referrers Architectural Assessment, that the overall impact of the said works would be minimal in terms of their impact on the character of the structure, and in my view, would not materially affect the character of the structure or any element of the structure which contributes to its special architectural interest. I would therefore consider that the internal works to this property would be exempted development having regard to Section 4(1)(h) of the Act, and the exemption would not be restricted by S. 57(1) of the Act.

9.4.19. Change of Use

9.4.20. I would consider that Class 14(h) of Part 1, Schedule 2 of the Regulations would be the relevant exemption for consideration for the proposed change of use. Class 14(h) provides an exemption for a change of use from convent to use as accommodation for protected persons. For clarity, Class 14(h) of the Regulations states the following,

*from use as a hotel, motel, hostel, guesthouse, holiday accommodation, **convent**, monastery, Defence Forces barracks or other premises or residential institution providing overnight accommodation, or part thereof, or from the change of use specified in paragraph (i) of the said premises or institution, or part thereof, to use as accommodation for protected persons,*

9.4.21. I note that the Class 14(h) exemption refers to one condition and limitation, as follows,

*The number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2*

9.4.22. I do not consider, based on the information available on the file, that this condition and limitation would restrict the available exemption in this instance.

- 9.4.23. Therefore, I would be satisfied that the proposed change of use from convent building to residential accommodation to provide for international protection applicants is exempted development.
- 9.4.24. I would note that the referrer also argues that S.I. 306 of 2022 – the European Union (Planning and Development) (Displaced Persons from Ukraine Temporary Protection) Regulations, 2022, provides an exemption for the proposed development.
- 9.4.25. However, I would note that the relevant provisions of this exemption apply to residential accommodation carried out by, or on behalf of, a state authority. Based on the correspondence on the file between the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) and the applicant, the Department have expressed an interest in the property based on satisfactory compliance with relevant regulations, including planning, building control, fire safety and insurance certificates. In respect of planning, I would note from correspondence on the file from the PA<sup>2</sup> that there are outstanding enforcement issues in relation to the subject property. As such I would not consider that the exemption under S.I. 306 of 2022 would be available in this instance.

## 9.5. **Restrictions on exempted development**

- 9.5.1. I have noted above that the available exemption in Class 14(h), Part 1, Schedule 2 of the Regulations is applicable in respect of the referral before the Commission. Notwithstanding, and should the Commission consider otherwise, I would acknowledge that Article 9 of the Planning and Development Regulations, 2001 (as amended), refers to restrictions on exempted development.
- 9.5.2. In this regard I have assessed the development for the change of use from a former convent building, a protected structure, to residential accommodation for international protection applicants in relation to the relevant Article 9 restrictions.
- 9.5.3. I am of the view that the restrictions on exempted development under article 9 would not apply in respect of the change of use or associated internal works. I note in particular the provisions below.

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<sup>2</sup> Appendix E of the Observers submission to ACP.

(viiB) would not require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

(xii) does not involve the carrying out of works to the exterior of the structure, which is located within an Architectural Conservation Area.

9.5.4. Accordingly, the Class 14(h) exemption, which in my opinion, is available in respect of referral before the Commission then Article 9 would not de-exempt the exemption available under Class 14(h), Part 1, Schedule 2 of the Regulations.

## 10.0 EIA Screening

10.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

## 11.0 Appropriate Assessment

11.1. I have considered case ABP-322857-25 in light of the requirements S177U of the Planning and Development Act 2000 as amended.

11.2. The closest European Sites, part of the Natura 2000 Network, are the Slaney River Valley SAC located approximately 120m southwest of the referral site and the Wexford Harbour and Slob SPA situated 1.2 km to the south of the referral site.

11.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

11.4. The reason for this conclusion is as follows:

- The minor nature and scale of the development.
- The location of the site on developed serviced lands.

- The absence of any ecological pathway from the development site to the nearest European Site.

11.5. I conclude, on the basis of objective information, that the development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

11.6. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

## 12.0 **Water Framework Directive**

12.1.1. I have individually assessed the subject development use and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the subject use, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows.

- The minor nature and scale of development.
- The location of the site on developed serviced lands.
- The absence of any hydrological connections.

12.1.2. I conclude that on the basis of objective information, that the subject development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

## 13.0 **Recommendation**

13.1. I recommend that the Commission should decide this referral in accordance with the following draft order.

**WHEREAS** a question has arisen as to whether a change of use of the existing rooms within a building which comprises the Convent of Mercy, Templeshannon, Enniscorthy, Co. Wexford, from a residential convent to a centre for the accommodation of Ukrainian refugees and international protection applicants is or is not development or is or is not exempted development.

**AND WHEREAS** Flodale Group Limited requested a declaration on this question from Wexford County Council and the Council issued a declaration on the 13<sup>th</sup> day of June 2025 stating that the matter was not exempted development:

**AND WHEREAS** Flodale Group Limited referred this declaration for review to An Coimisiún Pleanála on the 24<sup>th</sup> day of June 2025:

**AND WHEREAS** An Coimisiún Pleanála, in considering this referral, had regard particularly to –

- (a) Section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 3(1) of the Planning and Development Act, 2000, as amended,
- (c) Section 4(1)(h) of the Planning and Development Act, 2000, as amended,
- (d) Section 4(2) of the Planning and Development Act, 2000, as amended,
- (e) Section 4(3) of the Planning and Development Act, 2000, as amended,

- (f) Section 57(1) of the Planning and Development Act, 2000, as amended,
- (g) article 5, article 6(1) and article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (h) Parts 1 and 4 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (i) The documentation on the file, including the submission on behalf of the requestor Flodale Group Limited,
- (j) the pattern of development in the area:
- (k) the report and recommendation of the Inspector:

**AND WHEREAS** An Coimisiún Pleanála has concluded that:

- (a) the works constitute development within the meaning of Section 3 of the Planning and Development Act 2000, as amended,
- (b) the works would come within the scope of Section 4 (1)(h) of the Planning and Development Act, 2000, as amended, as it consists of the carrying out of works for alteration of the structure which affect only the interior of the structure,
- (c) the development constitutes works that would not materially affect the character of this protected structure and of elements of the protected structure which contribute to its special architectural interest, and, therefore, the restriction on exemption provided for under Section 57 of the Planning and Development Act, 2000, as amended, would not apply in this instance,
- (d) the change of use of a convent at Convent of Mercy, Templeshannon, Enniscorthy, Co. Wexford, to provide accommodation for persons seeking international protection is exempted development as it comes within the scope of Class 14 – Part 1 of Schedule 2 – 'Exempted Development - General' inserted

by The Planning and Development (Amendment) (Number 4) Regulations 2015 (S.I No 582/2015).

**NOW THEREFORE** An Coimisiún Pleanála, in exercise of the powers conferred on it by section 5(4) of the 2000 Act, hereby decides that the change of use of a convent at Convent of Mercy, Templeshannon, Enniscorthy, Co. Wexford, to provide accommodation for persons seeking international protection is development and is exempted development.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

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Senior Planning Inspector

24<sup>th</sup> February 2026

### Form 1 - EIA Pre-Screening

<b>Case Reference</b>	ABP-322857-25
<b>Proposed Development Summary</b>	Whether a change of use of rooms in a residential convent to a centre for refugees and international protection applicants is development or is exempted development.
<b>Development Address</b>	The Convent of Mercy, Templeshannon, Enniscorthy, Co. Wexford.
<b>In all cases check box /or leave blank</b>	
<b>1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA?</b>  (For the purposes of the Directive, “Project” means: - The execution of construction works or of other installations or schemes,  - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a ‘Project’. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p><b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	<p>Class 10(b)(i) of Part 2: threshold 500 dwelling units.</p> <p>Class 10(b)(iv) of Part 2: threshold 2 ha.</p>

<p><b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b></p>	
<p>Yes <input type="checkbox"/></p>	<p><b>Screening Determination required (Complete Form 3)</b></p>
<p>No <input checked="" type="checkbox"/></p>	<p><b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b></p>

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

## Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	ABP-322857-25
<b>Proposed Development Summary</b>	Whether a change of use of rooms in a residential convent to a centre for refugees and international protection applicants is development or is exempted development.
<b>Development Address</b>	The Convent of Mercy, Templeshannon, Enniscorthy, Co. Wexford.
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<p><b>Characteristics of proposed development</b></p> <p>(In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>The development involves internal alterations to an existing convent building which is a protected structure, and a change of use to provide accommodation for persons seeking international protection.</p> <p>The internal alteration works would generate waste. However, given the moderate size of the development, I do not consider that the level of waste generated would be significant in the local, regional or national context. No significant waste, emissions or pollutants would arise during the construction or operational phase due to the nature of the use. Any potential contamination arising from the existing use would be limited in scale, having regard to the modest scale of the use and would have a localised impact. The development, by virtue of its residential type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change.</p>
<p><b>Location of development</b></p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The subject site is not located within or adjoins any environmentally sensitive sites or protected sites of ecological importance, or any sites known for cultural or historical significance.</p> <p>The nearest designated European Sites to the referral site are the Slaney River Valley SAC (site code 000781) located approximately 120m southwest of the referral site and the Wexford Harbour and Slobbs SPA (site code 004076) situated 1.2 km to the south of the referral site.</p> <p>Given that there are no hydrological connections I have concluded in my AA Screening that the development</p>

	<p>would not likely have a significant effect on any European site.</p> <p>I consider that there is no real likelihood of significant cumulative impacts having regard to other existing and/or permitted projects in the adjoining area.</p>
<p><b>Types and characteristics of potential impacts</b></p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Having regard to the scale and nature of development in question, its location removed from any sensitive habitats / features, the likely limited magnitude and spatial extent of effects, and the absence of in combination effects, there is no potential for significant effects on the environment.</p>
<b>Conclusion</b>	
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	N/A
There is a real likelihood of significant effects on the environment.	N/A

**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**DP/ADP:** \_\_\_\_\_ **Date:** \_\_\_\_\_

(only where Schedule 7A information o